**IN THE HIGH COURT OF UTTARANCHAL**
**AT NAINITAL**
**ORIGINAL JURISDICTION**

Dated: Nainital: the 13th day of September 2005
Bail application no. 486 **of 2005**
**Order on the bail application of accused**

**CRIMINAL SIDE**

Dharmendra Singh S/o Sri Karan Singh
R/o Village Guda, Thana Aznar
Tehsil Kulphar, District Mahoba (U.P.)
Presently Pathology Centre Gauchar
Thana Karanprayag,
District Chamoli …Applicant

Versus

State of Uttaranchal … Opposite Party

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Arising out of Case Crime No. 242 of 2005
Under Sections 314 I.P.C.
Thana Karanprayag
District Chamoli

**By the court**

**Hon'ble B.C. Kandpal, J**

The applicant has applied for bail in case crime No. 242 of 2005 Under Section 314 I.P.C., Thana karanprayag, District Chamoli.

Heard Sri Mangal Singh Chauhan, learned counsel for the applicant, learned A.G.A. and perused the record.

The First Information Report does not disclose any specific role assigned to the applicant. This is a case of abortion which was primarily to be performed by the *lady-aaya* (Midwife) and Smt. Saraswati Devi @ Naurti Devi was also present as the *lady-aaya* at the place where the abortion took place. Therefore, it could be gathered at this stage that it would have been Saraswati Devi who performed the abortion, which resulted to miscarriage.

The applicant is in jail since 25th April, 2005 and learned A.G.A. could not produce any criminal history of the applicant before me.

Having considered the aforesaid circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Dharmendra Singh be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

**(B.C. Kandpal, J.)**

13.09.2005
ASWAL